

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
3:11-cv-584-GCM-DSC

OUTDOOR LIGHTING PERSPECTIVES)
FRANCHISING, INC.,)
)
Plaintiffs,)
)
vs.)
)
OLP-PITTSBURGH, INC., AMY)
PERLMUTTER AND OUTDOOR)
LIVING PITTSBURGH, LLC,)
)
Defendants.)
_____)

ORDER

This matter is before the Court upon the memorandum and recommendation of United States Magistrate David S. Cayer, filed January 26, 2012. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. Defendants timely filed an objection, and Plaintiff timely filed a response.

After an independent and thorough review of the Magistrate's memorandum, Defendants' objections thereto, and Plaintiff's response to the objections, the Court concludes that the recommendation to deny the Defendants' Motion to Dismiss is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted, and Defendants' Motion to Dismiss is DENIED.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the Magistrate is hereby AFFIRMED.

Signed: February 29, 2012

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

